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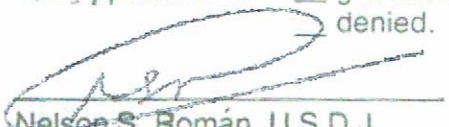
81 MAIN STREET WHITE PLAINS, NY 10601-1711
TEL: 914-559-3100 FAX: 914-949-1160
WWW.HPMB.COM

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Michele C. Greco
Associate
mgreco@hpmb.com

The application is ☒ granted.
denied.

May 18, 2020


Nelson S. Román, U.S.D.J.
Dated: May 18, 2020
White Plains, New York 10601

Clerk of the Court requested to
terminate the motion (doc. 43).

VIA ECF

Honorable Nelson S. Román
U.S. District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: Esther Grunwald, as Mother and Natural Guardian of T.G., an infant, and Esther Grunwald
Individually v. Bon Secours Charity Health System Medical Group, P.C., Good Samaritan
Hospital, Pedro R. Mencia, M.D., Refuah Health Center and United States of America
Docket No.: 18-CV-03208-NSR
Our File No.: 754-1022

Dear Judge Román:

Heidell, Pittoni, Murphy & Bach represents Bon Secours Charity Health System Medical
Group, P.C. and Good Samaritan Hospital in this medical malpractice action.

We write to advise the Court of the basis for requesting one year to complete non-expert
depositions. Paper discovery has not commenced. Therefore, we do not yet have HIPAA
authorizations to obtain either Ms. Grunwald's or the infant-plaintiff's medical records. According
to the Complaint, it is alleged that the infant-plaintiff suffers significant impairments including
physical and cognitive delays, hypoxic ischemic encephalopathy and cerebral palsy. Moreover, the
infant-plaintiff was born in 2015. Therefore, we expect there to be a significant amount of
subsequent treatment records.

Once HIPAA authorizations are received and processed, it typically takes two to three
months to obtain medical records, depending on the particular provider. In addition, we are
concerned about our ability to produce medical professionals and obtain the relevant medical records
in a timely manner due to the COVID-19 pandemic, particularly with the expected resurgence of the
virus later this year during flu season. Lastly, plaintiffs' counsel, David Kates, Esq., has advised that
Ms. Grunwald does not have internet access and would be unable to appear remotely for a
deposition.

HEIDELL, PITTONI, MURPHY & BACH, LLP

NEW YORK | CONNECTICUT | WESTCHESTER | LONG ISLAND

MEMO ENDORSED

Honorable Nelson S. Román

Re: Esther Grunwald, as Mother and Natural Guardian of T.G., an infant, and Esther Grunwald
Individually v. Bon Secours Charity Health System Medical Group, P.C., et al.

May 18, 2020

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Thank you for your attention and consideration of this request.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michele Greco".

Michele C. Greco

MCG/jc

cc: **VIA ECF**

David Kates, Esq.
Schwartz, Goldstone, Campisi, & Kates, LLP
90 Broad Street, Suite 403
New York, New York 10004

Anthony J. Sun, Esq.
Assistant United States Attorney
Southern District of New York
86 Chambers Street, Third Floor
New York, New York 10007